



Department of Health

ANDREW M. CUOMO
Governor

HOWARD A. ZUCKER, M.D., J.D.
Commissioner

SALLY DRESLIN, M.S., R.N.
Executive Deputy Commissioner

December 3, 2019

Sarah Seymour
MuckRock News
Dept MR 80322
411A Highland Ave
Somerville, MA 02144

FOIL #: 19-09-182

Dear Ms. Seymour:

This letter responds to your Freedom of Information Law (FOIL) request of September 12, 2019, in which you requested:

1. Any and all records reflecting an agreement for purchase, acquisition, or licensing of, or permission to use, test, or evaluate Appriss's systems or services, including any product or service offered;
2. Any and all memoranda of understanding between the New York State Department of Health and any outside entity regarding the I-STOP.
3. Any and all records including information about the algorithm that determines risk scores in the I-STOP, including but not limited to its source code, developer documentation, and operator manuals (e.g. NarxScore, Overdose Risk Score);
4. Any and all research, technical reports, or internal audits that define and/or evaluate the I-STOP effectiveness or performance;
5. Any and all research, technical reports, or internal audits that evaluate the Appriss risk assessment tool's effectiveness or performance
6. Any document containing a full list of the data fields in the I-STOP;
7. Any and all records of de-identified red flag algorithm outputs (e.g. provider red flag, pharmacy red flag, 40 MED red flag) and patient behavioral red flags (e.g., anxious patient demeanor, distance between prescriber and dispenser) with prescriber/dispenser training documentation on how to address the red flags;
8. Any record showing the number of patients in the I-STOP by quarter and year (2006-present);
9. Any record showing the number of prescribers and pharmacists in the I-STOP by quarter and year (2006-present);

10. Any and all records containing New York State Department of Health analysis of whether and/or how the I-STOP has impacted public health in New York (e.g. decrease or increase in overdose rates, "doctor shopping," prescribing volume, etc.) over time;
11. Any and all records 2006-present of notification to law enforcement about information in the I-STOP Medical Review Group or other channels, including but not limited to how many times law enforcement agencies have been notified about information in the I-STOP, and which agencies have been notified;
12. Any and all internal policy, memoranda, and/or training documentation describing how entities outside of New York State Department of Health, including law enforcement, may obtain access to information in the I-STOP, including but not limited to the rules, regulations, and procedures of the Medical Review Group;
13. The legal authorization for sharing I-STOP information with the law enforcement entities; and
14. Any and all records showing how often law enforcement entities or individuals have requested information or records from the I-STOP, or made electronic queries of the system, including but not limited to what types of information or records have been requested, which agencies have made the requests, the percent of requests that were accepted versus denied, temporal trends, the form of the request (e.g. subpoena, warrant, etc.), and whether the requests were granted or denied.

Please be advised that after conducting a diligent search, no records responsive to part 1 your request have been located.

Parts 2, 8, and 9 of your request are denied pursuant to NYS Public Officers Law §89(3); given the size of this agency, these parts of your FOIL request fail to reasonably describe the records you are seeking with sufficient detail to enable this Department to locate them.

Please be further advised the Department of Health does not maintain records responsive to parts 3, 4, 5, 6, 7, 10, 11, 12, 13, and 14 of your request.

As a courtesy, we inform you that information pertaining to the New York State's Prescription Monitoring Program Collection Tool can be found on the Bureau of Narcotic Enforcement's web page at:

https://www.health.ny.gov/professionals/narcotic/electronic_data_transmission/

Information pertaining to Opioid-related data can be found on the Department of Health's dashboard and annual report at the following link:

<https://www.health.ny.gov/statistics/opioid/>

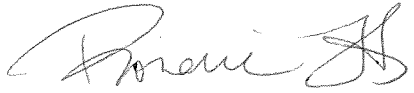
Lastly, information pertaining to the instructions on how to access the Prescription Monitoring Program's Registry by authorized practitioners and pharmacists is located on the Bureau of Narcotic's web page at:

https://www.health.ny.gov/professionals/narcotic/prescription_monitoring/

Should you feel that you have been unlawfully denied access to records, you may appeal such denial in writing within 30 days to the Records Access Appeals Officer, Division of Legal Affairs, Empire State Plaza, 2438 Corning Tower, Albany, New York 12237-0026.

If you require additional information or wish to discuss this matter further, please do not hesitate to contact me at (518) 474-8734.

Sincerely,

A handwritten signature in cursive script, appearing to read "Rosemarie Hewig".

Rosemarie Hewig, Esq.
Records Access Officer

RH/jt